IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

F.A.O.No.4205 of 2006 (O&M)
DATE OF DECISION : 7.9.2006

Ashok Kumar

....Appellant

Versus

Smt. Bawi & others

...Respondents

CORAM : HON'BLE MR.JUSTICE UMA NATH SINGH
HON'BLE MR.JUSTICE MAHESH GROVER

....

Present : Mr. Deepak Nayar, Advocate
for the appellant.

...

UMA NATH SINGH, J.(Oral)

In this owner's appeal against the award dated 19.1.2006 passed by the learned Presiding Officer, Motor Accident Claims Tribunal, Gurdaspur in MACT Case No.10 of 2004 awarding a sum of Rs.1,92,000 in death case of a 55 years old man, learned counsel for the appellant submitted that this is a case of false implication of appellant's vehicle and further, on quantum, the multiplier of 10, looking at the age of the deceased, appears to be on higher side.

We have carefully considered both the submissions and find no merit therein. The FIR of the accident was promptly lodged wherein the detailed description of the vehicle finds mention along with the name of the driver. We do not find any material to hold that the vehicle was falsely involved, nor was any evidence pointed out by the learned counsel during his submissions. As regards income of the deceased, the same has been assessed on the notional basis as that of

a labourer, which is only Rs.2,400/- per month. Besides, taking into consideration the age, number of dependents and other circumstances, the multiplier of 10 has been applied, which does not appear to be on higher side.

Accordingly, we do not find any merit in the appeal and the same is dismissed in limine.

(UMA NATH SINGH)
JUDGE

7.9.2006 (MAHESH GROVER)
JUDGE

dss